

the Secretary of Commerce and the Secretary's designees.

Secretary means the Secretary of Commerce or the Secretary's designees.

Applicant means the person or entity submitting a request or application for an investigation pursuant to this part.

§ 705.2 Purpose.

These regulations set forth the procedures by which the Department shall commence and conduct an investigation to determine the effect on the national security of the imports of any article. Based on this investigation, the Secretary shall make a report and recommendation to the President for action or inaction regarding an adjustment of the imports of the article.

§ 705.3 Commencing an investigation.

(a) Upon request of the head of any government department or agency, upon application of an interested party, or upon motion of the Secretary, the Department shall immediately conduct an investigation to determine the effect on the national security of the imports of any article.

(b) The Secretary shall immediately provide notice to the Secretary of Defense of any investigation initiated under this part.

[47 FR 14693, Apr. 6, 1982. Redesignated at 54 FR 601, Jan. 9, 1989, and amended at 63 FR 31623, June 10, 1998]

705.4 Criteria for determining effect of imports on the national security.

(a) To determine the effect on the national security of the imports of the article under investigation, the Department shall consider the quantity of the article in question or other circumstances related to its import. With regard for the requirements of national security, the Department shall also consider the following:

(1) Domestic production needed for projected national defense requirements:

(2) The capacity of domestic industries to meet projected national defense requirements:

(3) The existing and anticipated availabilities of human resources, products, raw materials, production equipment and facilities, and other

PART 705—EFFECT OF IMPORTED ARTICLES ON THE NATIONAL SECURITY

Sec.

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AUTHORITY: Sec. 23'2, Trade Expansion Act of 1962, as amended (19 U.S.C. 1862).

SOURCE: 47 FR 14693, Apr. 6, 1982, unless otherwise noted. Redesignated at 54 FR 601, Jan. 9, 1989.

§ 705.1 Definitions.

As used in this part:

Department means the United States Department of Commerce and includes

supplies and services essential to the national defense;

(4) The growth requirements of domestic industries to meet national defense requirements and the supplies and services including the investment, exploration and development necessary to assure such growth; and

(5) Any other relevant factors.

(b) In recognition of the close relation between the strength of our national economy and the capacity of the United States to meet national security requirements, the Department shall also, with regard for the quantity, availability, character and uses of the imported article under investigation, consider the following:

(1) The impact of foreign competition on the economic welfare of any domestic industry essential to our national security;

(2) The displacement of any domestic products causing substantial unemployment, decrease in the revenues of government, loss of investment or specialized skills and productive capacity, or other serious effects; and

(3) Any other relevant factors that are causing or will cause a weakening of our national economy.

705.5 Request or application for an investigation.

(a) A request or application for an investigation shall be in writing. The original and 1 copy shall be filed with the Director, Office of Strategic Industries and Economic Security, Room 3876, U.S. Department of Commerce, Washington, DC 20230.

(b) When a request, application or motion is under investigation, or when an investigation has been completed pursuant to 705.10 of this part, any subsequently filed request or application concerning imports of the same or related article that does not raise new or different issues may be either consolidated with the investigation in progress as provided in § 705.7(e) of this part, or rejected. In either event, an explanation for taking such action shall be promptly given to the applicant. If the request or application is rejected, it will not be returned unless requested by the applicant.

(c) Requests or applications shall describe how the quantity, availability,

character, and uses of a particular imported article, or other circumstances related to its import, affect the national security, and shall contain the following information to the fullest extent possible:

(1) Identification of the applicant;

(2) A precise description of the article;

(3) Description of the domestic industry affected, including pertinent information regarding companies and their plants, locations, capacity and current output of the industry;

(4) Pertinent statistics on imports and domestic production showing the quantities and values of the article;

(5) Nature, sources, and degree of the competition created by imports of the article;

(6) The effect that imports of the article may have upon the restoration of domestic production capacity in the event of national emergency;

(7) Employment and special skills involved in the domestic production of the article;

(8) Extent to which the national economy, employment, investment, specialized skills, and productive capacity is or will be adversely affected;

(9) Revenues of Federal, State, or local Governments which are or may be adversely affected;

(10) National security supporting uses of the article including data on applicable contracts or sub-contracts, both past and current; and

(11) Any other information or advice relevant and material to the subject matter of the investigation.

(d) Statistical material presented should be, if possible, on a calendar-year basis for sufficient periods of time to indicate trends. Monthly or quarterly data for the latest complete years should be included as well as any other breakdowns which may be pertinent to show seasonal or short-term factors.

[47 FR 14693, Apr. 6, 1982. Redesignated at 54 FR 601, Jan. 9, 1969, and amended at 63 FR 31623, June 10, 1998; 65 FR 62600, Oct. 19, 2000]

§ 705.6 Confidential information.

(a) Any information or material which the applicant or any other party desires to submit in confidence at any stage of the investigation that would

disclose national security classified information or business confidential information (trade secrets, commercial or financial information, or any other information considered sensitive or privileged), shall be submitted on separate sheets with the clear legend "National Security Classified" or "Business Confidential," as appropriate, marked at the top of each sheet. Any information or material submitted that is identified as national security classified must be accompanied at the time of filing by a statement indicating the degree of classification, the authority for the classification, and the identity of the classifying entity. By submitting information or material identified as business confidential, the applicant or other party represents that the information is exempted from public disclosure, either by the Freedom of Information Act (5 U.S.C. 552 et seq.) or by some other specific statutory exemption. Any request for business confidential treatment must be accompanied at the time of filing by a statement justifying non-disclosure and referring to the specific legal authority claimed.

(b) The Department may refuse to accept as business confidential any information or material it considers not intended to be protected under the legal authority claimed by the applicant, or under other applicable legal authority. Any such information or material so refused shall be promptly returned to the submitter and will not be considered. However, such information or material may be resubmitted as non-confidential in which case it will be made part of the public record.

§ 705.7 Conduct of an investigation.

(a) If the Department determines that it is appropriate to afford interested parties an opportunity to present information and advice relevant and material to an investigation, a public notice shall be published in the FEDERAL REGISTER soliciting from any interested party written comments, opinions, data, information or advice relative to the investigation. This material shall be submitted as directed within a reasonable time period to be specified in the notice. All material shall be submitted with 6 copies. In ad-

dition, public hearings may be held pursuant to § 705.8 of this part.

(b) All requests and applications filed and all material submitted by interested parties, except information on material that is classified or determined to be confidential as provided in 5705.6 of this part, will be available for public inspection and copying in the Bureau of Export Administration Freedom of Information Records Inspection Facility, Room H-4525, U.S. Department of Commerce, Washington, DC 20230, in accordance with regulations published in part 4 of title 15, Code of Federal Regulations.

(c) Further information may be requested by the Department from other sources through the use of questionnaires, correspondence, or other appropriate means.

(d) The Department shall, as part of an investigation, seek information and advice from, and consult with, appropriate officers of the United States or their designees, as shall be determined. The Department shall also consult with the Secretary of Defense regarding the methodological and policy questions raised in the investigation. Upon the request of the Secretary, the Secretary of Defense shall provide the Secretary with an assessment of the defense requirements of the article in question. Communications received from agencies of the U.S. government or foreign governments will not be made available for public inspection.

(e) Any request or application that is filed while an investigation is in progress, concerning imports of the same or related article and raising similar issues, may be consolidated with the request, application or motion that initiated the investigation.

[47 FR 14693, Apr. 6, 1982. Redesignated at 54 FR 601, Jan. 9, 1989 and amended at 54 FR 19355, May 5, 1989; 63 FR 31623, June 10, 1998]

§ 705.8 Public hearings.

(a) If it is deemed appropriate by the Department, public hearings may be held to elicit further information.

(1) A notice of hearing shall be published in the FEDERAL REGISTER describing the date, time, place, the subject matter of each hearing and any

other information relevant to the conduct of the hearing. The name of a person to contact for additional information or to request time to speak at the hearing shall also be included. Public hearings may be held in more than one location.

(2) Hearings shall be open to the public unless national security classified information will be presented. In that event the presiding officer at the hearing shall close the hearing, as necessary, to all persons not having appropriate security clearances or not otherwise authorized to have access to such information. If it is known in sufficient time prior to the hearing that national security classified information will be presented the notice of hearing published in the FEDERAL REGISTER shall state that national security classified information will be presented and that the hearing will be open only to those persons having appropriate security clearances or otherwise specifically authorized to have access to such information.

(b) Hearings shall be conducted as follows:

(1) The Department shall appoint the presiding officer;

(2) The presiding officer shall determine all procedural matters during the hearing;

(3) Interested parties may appear, either in person or by representation, and produce oral or written information relevant and material to the subject matter of the investigation;

(4) Hearings will be fact-finding proceedings without formal pleadings or adverse parties. Formal rules of evidence will not apply;

(5) After a witness has testified, the presiding officer may question the witness. Questions submitted to the presiding officer in writing by any interested party may, at the discretion of the presiding officer, be posed to the witness. No cross examination of any witness by a party shall be allowed.

(6) Each hearing will be stenographically reported. Transcripts of the hearing, excluding any national security classified information, may be purchased from the Department at actual cost of duplication, and will be available for public inspection in the Bureau of Export Administration Freedom of

Information Records Inspection Facility, Room H-4525, U.S. Department of Commerce, Washington, DC 20230.

[47 FR 14693, Apr. 6, 1982. Redesignated at 54 FR 601, Jan. 9, 1989 and amended at 54 FR 19355, May 5, 1989; 63 FR 31623, June 1998]

§ 705.9 Emergency action.

In emergency situations, or when in the judgment of the Department, national security interests require it, the Department may vary or dispense with any or all of the procedures set forth in § 705.7 of this part.

§ 705.10 Report of an investigation and recommendation.

(a) When an investigation conducted pursuant to this part is completed, a report of the investigation shall be promptly prepared.

(b) The Secretary shall report to the President the findings of the investigation and a recommendation for action or inaction within 270 days after beginning an investigation under this part.

(c) An Executive Summary of the Secretary's report to the President of an investigation, excluding any classified or proprietary information, shall be published in the FEDERAL REGISTER. Copies of the full report, excluding any classified or proprietary information, will be available for public inspection and copying in the Bureau of Export Administration Freedom of Information Records Inspection Facility, Room H-4525, U.S. Department of Commerce, 14th Street, N.W., Washington, D.C. 20230; tel. (202) 482-5653.

163 FR 31623, June 10, 1998]

§ 705.11 Determination by the President and adjustment of imports.

(a) Upon the submission of a report to the President by the Secretary under § 705.10(b) of this part, in which the Department has found that an article is being imported into the United States in such quantities or under such circumstances as to threaten to impair the national security, the President is required by Section 232(c) of the Trade Expansion Act of 1962, as amended (19 U.S.C. 1862(c)) to take the following action

(1) Within 90 days after receiving the report from the Secretary, the President shall determine:

(i) Whether the President concurs with the Department's finding; and

(ii) If the President concurs, the nature and duration of the action that must be taken to adjust the imports of the article and its derivatives so that the such imports will not threaten to impair the national security.

(2) If the President determines to take action under this section, such action must be taken no later than fifteen (15) days after making the determination.

(3) By no later than thirty (30) days after making the determinations under paragraph (a)(1) of this section, the President shall submit to the Congress a written statement of the reasons why the President has decided to take action, or refused to take action.

(b) If the action taken by the President under this section is the negotiation of an agreement to limit or restrict the importation into the United States of the article in question, and either no such agreement is entered into within 180 days after making the determination to take action, or an executed agreement is not being carried out or is ineffective in eliminating the

threat to the national security, the President shall either:

(1) Take such other action as deemed necessary to adjust the imports of the article so that such imports will not threaten to impair the national security. Notice of any such additional action taken shall be published in the FEDERAL REGISTER; or

(2) Not take any additional action. This determination and the reasons on which it is based, shall be published in the FEDERAL REGISTER.

[63 FR 31623, June 10, 1998]

§ 705.12 Disposition of an investigation and report to the Congress.

(a) Upon the disposition of each request, application, or motion made under this part, a report of such disposition shall be submitted by the Secretary to the Congress and published in the FEDERAL REGISTER.

(b) As required by Section 232(e) of the Trade Expansion Act of 1962, as amended (19 U.S.C. 1862(c)), the President shall submit to the Congress an annual report on the operation of this part.

[63 FR 31623, June 10, 1998]

PARTS 706709 [RESERVED]

DEPARTMENT OF COMMERCE**Bureau of Export Administration****Initiation of National Security Investigation of Imports of Iron Ore and Semi-Finished Steel**

AGENCY: Bureau of Export Administration, Office of Strategic Industries and Economic Security, Strategic Analysis Division, Department of Commerce.

ACTION: Notice of initiation of national security investigation and request for public comments.

SUMMARY: This notice is to advise the public that an investigation has been initiated under section 232 of the Trade Expansion Act of 1962, as amended (19 U.S.C. 1862), to determine the effects on the national security of imports of iron ore and semi-finished steel. Interested parties are invited to submit written comments, opinions, data, information, or advice relative to the investigation to the Bureau of Export Administration, U.S. Department of Commerce.

DATES: Comments must be received by April 9, 2001.

ADDRESSES: Send three copies of written comments to Brad Botwin, Director, Strategic Analysis Division, Bureau of Export Administration, U.S. Department of Commerce, Room 3876, Washington, DC 20230.

FOR FURTHER INFORMATION CONTACT: Brad Botwin, Director, Strategic Analysis Division, Bureau of Export Administration, U.S. Department of Commerce, (202) 482-4060, bbotwin@bxa.doc.gov or Michael Vaccaro, Trade and Industry Analyst, Bureau of Export Administration, U.S. Department of Commerce, (202) 482-8232, mivaccaro@bxa.doc.gov. For more information about the section 232 program, including the regulations and the text of previous investigations, see www.doc-bxa.bmpcoe.org under "Programs."

SUPPLEMENTARY INFORMATION:**Background**

On February 1, 2001, the Department of Commerce initiated an investigation under section 232 of the Trade Expansion Act of 1962, as amended (19 U.S.C. 1862), to determine the effects on the national security of imports of iron ore and semi-finished steel. The findings and recommendations of the investigation are to be reported by the Secretary of Commerce to the President not later than October 29, 2001.

The iron ore and semi-finished steel products to be investigated include:

1. Iron Ore:

- Briquettes
- Pellets
- Sinter
- 2. Semi-finished Steel
- Ingots
- Billets
- Blooms
- Slab

This investigation is being undertaken in accordance with part 705 of the National Security Industrial Base Regulations (15 CFR parts 700 to 709) (the "regulations"). Interested parties are invited to submit written comments, opinions, data, information, or advice relevant to this investigation to the Office of Strategic Industries & Economic Security, U.S. Department of Commerce, no later than April 9, 2001. The Department is particularly interested in comments and information directed to the criteria listed in § 705.4 of the regulations as they affect national security, including the following: (a) Quantity of the article in question or other circumstances related to the importation of the articles subject to the investigation; (b) Domestic production and productive capacity needed for those articles to meet protected national defense requirements; (c) Existing and anticipated availability of human resources, products, raw materials, production equipment, and facilities to produce these items; (d) Growth requirements of domestic industries to meet national defense requirements and/or requirements to assure such growth; (e) The impact of foreign competition on the economic welfare of the domestic industry; and (f) The displacement of any domestic products causing substantial unemployment, decrease in the revenues of government, loss of investment or specialized skills and productive capacity, or other serious effects.

Those wishing to comment should submit three copies of all materials. Material that is national security classified information or business confidential information will be exempted from public disclosure as provided for by § 705.6 of the regulations. Anyone submitting business confidential information should clearly identify the business confidential portion of the submission, then file a statement justifying nondisclosure and reference to the specific legal authority claimed, and provide a non-confidential submission which can be placed in the public file. Communications from agencies of the United States Government will not be made available for public inspection.

If public hearings are held in support of this investigation, a separate **Federal Register** notice will be published.

The Bureau of Export Administration does not maintain a separate public inspection facility. Requesters should first view the Bureau's webpage, which can be found at <http://www.bxa.doc.gov> (see FOIA heading). If requesters cannot access the website, they may call 202-482-2165 for assistance. The records related to this assessment are made accessible in accordance with the regulations published in part 4 of title 15 of the Code of Federal Regulations (15 CFR 4.1 *et seq.*).

Dated: February 1, 2001.

Matthew Borman,

Deputy Assistant Secretary for Export Administration.

[FR Doc. 01-3059 Filed 2-5-01; 8:45 am]

BILLING CODE 3510-JT-P

DEPARTMENT OF COMMERCE**International Trade Administration**

[A-570-851]

Certain Preserved Mushrooms From the People's Republic of China: Postponement of Preliminary Results of New Shipper Review

AGENCY: Import Administration, International Trade Administration, United States Department of Commerce.

ACTION: Notice of extension of the time limit for the preliminary results in the new shipper review of the antidumping duty order on certain preserved mushrooms from the People's Republic of China.

SUMMARY: The United States Department of Commerce ("the Department") is extending the time limit for the preliminary results of a new shipper review of the antidumping duty order on certain preserved mushrooms from the People's Republic of China ("PRC"). This review covers the period February 1, 2000 through July 31, 2000.

EFFECTIVE DATE: February 6, 2001.

FOR FURTHER INFORMATION CONTACT: David J. Goldberger or Rebecca Trainor, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, N.W., Washington, D.C. 20230; telephone: (202) 482-4136 or (202) 482-4007, respectively.

Postponement of Preliminary Results of Administrative Review

On October 2, 2000, the Department initiated a new shipper review (65 FR

Council. The Advisory Council is comprised of thirteen members representing state, county and city governments, and representatives of various organizations, which include mining industry, environmental organizations, inholders in Opal Creek Scenic Recreation Area, economic development, Indian tribes, adjacent landowners and recreation interests. The council provides advice to the Secretary of Agriculture on preparation of a comprehensive Opal Creek Management Plan for the SRA, and consults on a periodic and regular basis on the management of the area. The tentative agenda will focus on describing the desired future condition of the area. The tentative agenda will focus on describing the desired future condition of the SRA.

The public comment period is tentatively scheduled to begin at 1 p.m. Time allotted for individual presentations will be limited to 3 minutes. Written comments are encouraged, particularly if the material cannot be presented within the time limits of the comment period. Written comments may be submitted prior to the May 5 meeting by sending them to Designated Federal Official Stephanie Phillips at the address given below.

FOR FURTHER INFORMATION CONTACT: For more information regarding this meeting, contact Designated Federal Official Stephanie Phillips; Willamette National Forest, Detroit Ranger District, HC 73 Box 320, Mill City, OR 97360; (503) 854-3366.

Dated: April 13, 2001.

Darrel L. Kenops,
Forest Supervisor.

[FR Doc. 01-9564 Filed 4-17-01; 8:45 am]

BILLING CODE 3410-11-M

DEPARTMENT OF COMMERCE

Bureau of Export Administration

[Docket No. 010412092-1092-01]

Initiation of National Security Investigation of Imports of Iron Ore and Semi-Finished Steel, Re-Opening of Public Comment Period

AGENCY: Bureau of Export Administration, Department of Commerce.

ACTION: Notice of initiation of National Security Investigation, re-opening of public comment period.

SUMMARY: Pursuant to public request, the Bureau of Export Administration (BXA) is re-opening its public comment period until May 2, 2001, for the Notice

of initiation of National Security Investigation and Request for Public Comments, published on February 6, 2001.

DATES: Comments must be received by May 2, 2001.

ADDRESSES: Send three copies of written comments to Brad Botwin, Director, Strategic Analysis Division, Bureau of Export Administration, U.S. Department of Commerce, Room 3876, Washington, DC 20230.

FOR FURTHER INFORMATION CONTACT: Brad Botwin, Director, Strategic Analysis Division, Bureau of Export Administration, U.S. Department of Commerce, (202) 482-4060, bbotwin@bxa.doc.gov or Michael Vaccaro, Trade and Industry Analyst, Bureau of Export Administration, U.S. Department of Commerce, (202) 482-8232, mvaccaro@bxa.doc.gov. For more information about the section 232 program, including the applicable Commerce Department regulations and the text of previous investigations, see www.doc-bxa.bmpcoe.org under "Programs."

SUPPLEMENTARY INFORMATION: On February 6, 2001, BXA published a Notice of Initiation of National Security Investigation and Request for Public Comments (66 FR 9067) announcing the initiation of an investigation under section 232 of the Trade Expansion Act of 1962, as amended (19 U.S.C. 1862), to determine the effects on the national security of imports of iron ore and semi-finished steel. The notice also requested public comments on the investigation; the closing day for the comment period was April 9, 2001. In response to requests received from interested parties, BXA is re-opening the original 60 day public comment period until May 2, 2001. As a result, comments on the investigation must now be received by May 2, 2001. Comments received after April 9, 2001 and before the date of this notice will be accepted and considered by BXA.

Dated: April 12, 2001.

Matthew Borman,
Deputy Assistant Secretary for Export Administration.

[FR Doc. 01-9611 Filed 4-17-01; 8:45 am]

BILLING CODE 3510-JT-P

DEPARTMENT OF COMMERCE

Foreign-Trade Zones Board

[Order No. 1155]

Approval for Expansion of Subzone 104A, Merck & Company, Inc., Plant (Pharmaceuticals), Dougherty County, GA

Pursuant to its authority under the Foreign-Trade Zones Act of June 18, 1934, as amended (19 U.S.C. 81a-81u), the Foreign-Trade Zones Board (the Board) adopts the following Order:

Whereas, the Savannah Airport Commission, grantee of FTZ 104, has requested authority on behalf of Merck & Company, Inc. (Merck), to add capacity and to expand the scope of authority under zone procedures within Subzone 104A at the Merck plant in Dougherty County, Georgia (FTZ Docket 62-2000, filed 11/17/2000);

Whereas, notice inviting public comment has been given in the **Federal Register** (65 FR 71296, 11/30/00);

Whereas, pursuant to Section 400.32(b)(1) of the FTZ Board regulations (15 CFR 400), the Secretary of Commerce's delegate on the FTZ Board has the authority to act for the Board in making decisions regarding manufacturing activity within existing zones when the proposed activity is the same, in terms of products involved, to activity recently approved by the Board and similar in circumstances (15 CFR 400.32(b)(1)(i)); and,

Whereas, the Board adopts the findings and recommendations of the examiner's report, and finds that the requirements of the FTZ Act and Board's regulations are satisfied, and that the proposal is in the public interest;

Now, therefore, the Board hereby orders:

The application to add capacity and to expand the scope of authority under zone procedures within Subzone 104A on behalf of Merck & Company, Inc., is approved, subject to the FTZ Act and the Board's regulations, including Section 400.28.

Signed at Washington, DC, this 5th day of April, 2001.

Timothy J. Hauser,

Acting Under Secretary for International Trade, Alternate Chairman, Foreign-Trade Zones Board.

[FR Doc. 01-9640 Filed 4-17-01; 8:45 am]

BILLING CODE 3510-DS-P

conducted under section 232 of the Trade Expansion Act of 1962, as amended (19 U.S.C. 1862). This notice identifies the issues on which the Department is interested in obtaining the public's views. It also sets forth the procedures for public participation in the hearings.

DATES: The hearings **will** be held on Thursday, July 5, 2001 at the Virginia High School, Goodman Auditorium, 411 5th Avenue, South, Virginia, MN 55792; on Sunday, July 15, 2001 at the Northern Michigan University, University Center, Michigan Room, 1401 Presque Isle, Marquette, MI 49855; and on Thursday, July 19, 2001 at the Newport Gateway, 19900 MacArthur Boulevard, Suite 300 (Food and Drug Administration Office), Irvine, CA 92612. All hearings will begin at 12 noon local time and conclude at 7 PM local time.

ADDRESSES: Send requests to speak and written summaries of the oral presentations to Brad Botwin, Director, Strategic Analysis Division, Bureau of Export Administration, U.S. Department of Commerce, Room 3876, 14th Street and Pennsylvania Avenue, NW., Washington, DC 20230, by June 25, 2001. Any person, whether presenting or not, may submit a written statement through August 17, 2001; 30 days after the last hearing date.

FOR FURTHER INFORMATION CONTACT: Brad Botwin, Director, Strategic Analysis Division, Bureau of Export Administration, U.S. Department of Commerce, (202) 482-4060, bbotwin@bxa.doc.gov or Michael Vaccaro, Trade and Industry Analyst, Bureau of Export Administration, U.S. Department of Commerce, (202) 482-8232, mvaccaro@bxa.doc.gov. For more information about the section 232 program, including the regulations and the text of previous investigations, see www.doc-bxa.bmpcoe.org under "Programs."

SUPPLEMENTARY INFORMATION:

Background and Specific Comments Requested

On February 1, 2001, the Department of Commerce initiated an investigation under section 232 of the Trade Expansion Act of 1962, as amended (19 U.S.C. 1862), to determine the effects on the national security of imports of iron ore and semi-finished steel. The findings and recommendations of the investigation are to be reported by the Secretary of Commerce to the President no later than October 29, 2001. For further details on this investigation, see the Federal Register notices of February

6, 2001 (66 FR 9067) and April 18, 2001 (66 FR 19917).

The iron ore and semi-finished steel products subject to this investigation include:

1. Iron Ore
 - Briquettes
 - Pellets
 - Sinter
2. Semi-finished Steel
 - Ingots
 - Billets
 - Blooms
 - Slab

Consistent with the interest of the U.S. Department of Commerce in soliciting public comments on issues affecting U.S. industry and national security, BXA is holding public hearings as part of the investigation. The hearings will assist the Department in determining whether imports of iron ore and semi-finished steel threaten to impair the national security and in recommending remedies if such a threat is found to exist.

The Department is particularly interested in comments and information directed to the criteria listed in 15 CFR part 705.4, Effect of Imported Articles on the National Security ("the regulations"), including the following: (a) Quantity of the articles subject to the investigation and other circumstances related to the importation of such articles; (b) Domestic production capacity needed for these articles to meet projected national defense requirements; (c) The capacity of domestic industries to meet projected national defense requirements; (d) Existing and anticipated availability of human resources, products, raw materials, production equipment, facilities, and other supplies and services essential to the national defense; (e) Growth requirements of domestic industries needed to meet national defense requirements and the supplies and services including the investment, exploration and development necessary to assure such growth; (f) The impact of foreign competition on the economic welfare of any domestic industry essential to our national security; (g) The displacement of any domestic products causing substantial unemployment, decrease in the revenues of government, loss of investment or specialized skills and productive capacity, or other serious effects; (h) Relevant factors that are causing or will cause a weakening of our national economy; and (i) Any other relevant factors.

Notice of Public Hearings

The hearings will be held on Thursday, July 5, 2001 at the Virginia

DEPARTMENT OF COMMERCE

Bureau of Export Administration

[Docket No. 010412092-1149-02]

Public Hearings on Section 232 National Security Investigation of Imports of Iron Ore and Semi-Finished Steel

AGENCY: Bureau of Export Administration, Office of Strategic Industries and Economic Security, Strategic Analysis Division, Department of Commerce.

ACTION: Notice of public hearings on section 232 national security investigation of imports of iron ore and semi-finished steel.

SUMMARY: The Bureau of Export Administration (BXA) is holding public hearings on the investigation that the Department of Commerce initiated, on February 1, 2001, to determine the effects on the national security of imports of iron ore and semi-finished steel. This investigation is being

High School, Goodman Auditorium, 411 5th Avenue, South, Virginia, MN 55792; on Sunday, July 15, 2001 at the Northern Michigan University's University Center, Michigan Room, 1401 Presque Isle, Marquette, MI 49855; and on Thursday, July 19, 2001 at the Newport Gateway, 19900 MacArthur Boulevard, Suite 300 (Food and Drug Administration Office), Irvine, CA 92612. All hearings will begin at 12 noon local time and conclude at 7 PM local time.

Procedure for Requesting Participation

The Department encourages interested public participants to present their views orally at the hearings. Any person wishing to make an oral presentation at the hearings must submit a written request to the Department of Commerce at the address indicated in the ADDRESSES section of this notice. The request to participate in the hearings must be accompanied by 3 copies of a summary of the oral presentation. The written request and summary must be received by the Department no later than Monday, June 25, 2001. In addition, the request to speak should contain (1) the name and address of the person requesting to make a presentation; (2) a daytime phone number where the person who would be making the oral presentation may be contacted before the hearing; (3) the organization or company they represent; (4) an e-mail address, if available, and (5) the location you will attend to make your presentation.

Please note that the submission of comments for presentation at the public hearings is separate from the request for written comments contained in the February 6, 2001 and April 18, 2001 Federal Register notices. Since it may be necessary to limit the number of persons making presentations, the written request to participate in the public hearing should describe the individual's interest in the hearings and, where appropriate, explain why the individual is a proper representative of a group or class of persons that has such an interest. If all interested parties cannot be accommodated at the hearings, the summaries of the oral presentations will be used to allocate speaking time and to ensure that a full range of comments is heard.

Each person selected to make a presentation will be notified by the Department of Commerce no later than 8 PM EDT on Friday, June 29, 2001. The Department will arrange the presentation times for the speakers. Attendees will be seated on a first-come, first-served basis. Persons selected to be heard are requested to bring 100 copies

of their oral presentation and of all exhibits to the hearing site on the day of the hearing. All such material must be of a size consistent with ease of handling, transportation and filing. While large exhibits may be used during a hearing, copies of such exhibits in reduced size must be provided to the panel. Written submissions by persons not selected to make presentations will be made part of the public record of the proceeding. Any person, whether presenting or **not**, may submit a written statement through August 17, 2001; 30 days after the last hearing date. Confidential business information may not be submitted at a public hearing. In the event confidential business information is submitted it will be handled **according to** the same procedures applicable to such information provided in the course of an investigation. See 15 CFR 705.6. Each hearing will be stenographically reported. Transcripts of the hearings may be purchased after the hearings have been completed from the Department for actual cost of duplication.

Copies of the requests to participate in the public hearings, and the transcripts of the hearings will be maintained **on** the Bureau of Export Administration's web page, which can be found at <http://www.bxa.doc.gov> (see Freedom of Information Act (FOIA) heading). If the requesters cannot access the web site, they may call (202) 482-2165 for assistance. The records related to this assessment are made accessible in accordance with the regulations published in part 4 of title 15 of the Code of Federal Regulations (15 CFR 4.1 et seq.)

Conduct of the Hearing

The Department reserves the right to select the persons to be heard at the hearings, to schedule their respective presentations, and to establish the procedures governing the conduct of the hearing. Each speaker will be limited to 10 minutes, and comments must be directly related to the criteria listed in 15 CFR part 705.4 of the regulations.

A Commerce Department official will be designated to preside at the hearings. The presiding officer shall determine all procedural matters during the hearings. Representatives from the Commerce Department and other U.S. Government agencies will make up the hearing panel. This will be a fact-finding proceeding; it will not be a judicial or evidentiary-type hearing. Only members of the hearing panel may ask questions, and there will be no cross-examination of persons presenting statements. However, questions submitted to the

presiding officer in writing may, at the discretion of the presiding officer, be posed to the presenter. No formal rules of evidence will apply to the hearings.

Any further procedural rules for the proper conduct of the hearing will be announced by the presiding officer.

Special Accommodations

These meetings are physically accessible to people with disabilities. Requests for **sign** language interpretation or other auxiliary aids should be received by the Department of Commerce no later than Friday, June 29, 2001 at the address indicated in the ADDRESSES section of this notice.

Dated: June 8, 2001.

Matthew S. Borman,

Deputy Assistant Secretary for Export Administration.

[FR Doc. 01-15024 Filed 6-13-01; 8:45 am]

BILLING CODE 3510-DT-U

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Notices

Federal Register

This section of the FEDERAL REGISTER contains documents other than rules or proposed rules that are applicable to the public. Notices of hearings and investigations, committee meetings, agency decisions and rulings, delegations of authority, filing of petitions and applications and agency statements of organization and functions are examples of documents appearing in this section.

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DEPARTMENT OF COMMERCE

Bureau of Export Administration

[Docket No. 010412092-1165-03]

Cancellation of Public Hearing on Section 232 National Security
Investigation of Imports of Iron Ore and Semi-Finished Steel

AGENCY: Bureau of Export Administration, Office of Strategic Industries and Economic Security, Strategic Analysis Division, Department of Commerce.

ACTION: Cancellation of public hearing on section 232 national security investigation of imports of iron ore and semi-finished steel.

SUMMARY: In a June 14, 2001, Federal Register Notice (66 FR 32315), the Bureau of Export Administration (BXA) announced three public hearings on the investigation that the Department of Commerce initiated, on February 1, 2001, to determine the effects on the national security of imports of iron ore and semi-finished steel. This investigation is being conducted under section 232 of the Trade Expansion Act of 1962, as amended (19 U.S.C. 1862). This notice announces the cancellation of the public hearing scheduled for July 19, 2001, in Irvine, California, due to a low number of requests to speak at that location.

FOR FURTHER INFORMATION CONTACT: Brad Botwin, Director, Strategic Analysis Division, Bureau of Export Administration, U.S. Department of Commerce, (202) 482-4060, bbotwin@bxa.doc.gov or Michael Vaccaro, Trade and Industry Analyst, Bureau of Export Administration, U.S. Department of Commerce, (202) 482-8232, mvaccaro@bxa.doc.gov. For more information about the section 232 program, including the regulations and the text

of previous investigations, see www.doc-bxa.bmpcoe.org under "Programs." '

SUPPLEMENTARY INFORMATION:

Background

On February 1, 2001, the Department of Commerce initiated an investigation under section 232 of the Trade Expansion Act of 1962, as amended (19 U.S.C. 1862), to determine the effects on the national security of imports of iron ore and semi-finished steel. The findings and recommendations of the investigation are to be reported by the Secretary of Commerce to the President no later than October 29, 2001. For further details on this investigation, see the Federal Register notices of February 6, 2001 (66 FR 9067) and April 18, 2001 (66 FR 19917).

The iron ore and semi-finished steel products subject to this investigation include:

1. Iron Ore
 - Briquettes
 - Pellets
 - Sinter
2. Semi-finished Steel
 - Ingots
 - Billets
 - Blooms
 - Slab

As announced in the June 14, 2001 Federal Register Notice (66 FR 32315), BXA is holding public hearings as part of the investigation. The hearings will assist the Department in determining whether imports of iron ore and semi-finished steel threaten to impair the national security and in recommending remedies if such a threat is found to exist. The Department has cancelled the public hearing scheduled for Thursday, July 19, 2001 at the Newport Gateway, in Irvine, California, due to a low number of requests to speak at that location. The June 14, 2001 Federal Register Notice provided that any person, whether presenting or not, may submit a written statement through August 17, 2001, 30 days after the last hearing date. Written submissions by persons not selected to make presentations at the Thursday, July 5, 2001 and Sunday, July 15, 2001 public hearings will be made part of the public record of the proceedings. Written statements should be submitted to Brad Botwin, Director, Strategic Analysis Division, Bureau of Export Administration, U.S. Department of Commerce, Room 3876, 14th Street and Pennsylvania Avenue, NW, Washington, DC 20230.

Dated: July 2, 2001.

James J. Jochum,
Assistant Secretary for Export Administration.
[FR DOC. 01-17151 Filed 7-9-01; 8:45 am]
BILLING CODE 3510-JT-P

Congress of the United States

Washington, DC 20515

January 16, 2001

The Honorable Norman Y. Mineta
Secretary
U.S. Department of Commerce
14th Street and Constitution Avenue, NW
Washington, D.C. 20230

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Dear Secretary Mineta:

I am writing to request that the U.S. Department of Commerce's Bureau of Export Administration self-initiate, under Section 232 of the Trade Expansion Act of 1962, a full investigation into imports of iron ore and steel slab into the United States. Imported steel and iron ore, much of which is subsidized in the country of origin and sold in our market at prices which violate our anti-dumping laws, are having a devastating impact on jobs and local economies, and threaten the future viability of the domestic iron ore/taconite and steel slab industries, as well as major segments of the steel industry. These industries are critical to the national security of the United States. I have attached background information and statistics on the plight of these industries.

Steel is the basic building block of an industrial society. Iron ore/taconite is the fundamental raw material needed to produce steel. The mines of Minnesota and Michigan have been the primary suppliers of iron ore/taconite for the domestic steel industry for over 100 years, providing 100 percent of the steel industry's iron ore requirements during WWII and the Korean conflict. Our mines have shipped 4 billion tons of iron ore and taconite over the last century and will continue to be a reliable domestic source of iron units well into the future, if given a reprieve from the devastating economic pressure of imports flooding into our market, as well as recent spikes in energy prices.

Every ton of semi-finished steel slab utilized in domestic steel production displaces 1.3 tons of taconite pellets. Over the past decade, this displacement has become devastating to the iron ore industry as foreign producers targeted the U.S. market. Since 1997, foreign iron ore producers, together with their native interrelated steel companies, have sought to take advantage of the capital-starved U.S. iron ore and steel industries and target base-load tonnage requirements. Over that time period, U.S. steel companies have taken blast furnace production off-line and rolled cheap imported slabs – a significant volume of which has come from Brazil.

Brazilian iron ore and steel producers have announced numerous projects targeting domestic U.S. pellet markets, including construction of a 6-million-ton iron ore pellet plant and a 5-million-ton slab mill – all for export to the United States. The foreign iron ore producers'

strategy to capitalize on the weakened U.S. steel industry by offering iron units in the form of semi-finished steel slabs will force domestic steel producers to rely upon foreign iron ore and crude steel for its finished steel production, abandoning, in the process, our domestic iron ore/taconite industry.

Semi-finished steel imports into the United States remained below 3 million metric tons through 1993, but have since soared three-fold. These imports are expected to reach a record high of 10 million metric tons in 2000. Brazil, alone, increased its semi-finished steel exports to the United States by 275 percent over the past decade. In 1990, Brazil exported 813,000 net tons of semi-finished steel to the United States; in 1999, that figure jumped to 2,975,000 net tons.

With slab imports at all-time highs, domestic iron ore producers are being forced to reduce production dramatically. This month, LTV Steel Mining Company permanently closed its taconite mine in Minnesota, eliminating 1400 jobs and taking 8 million tons of annual domestic production permanently offline. Also this month, Northshore Mining Company and U.S. Steel's Minntac mine announced production cutbacks. While neither company has made decisions regarding layoffs, more domestic reduction announcements are expected within the industry.

These imports also threaten domestic integrated steel mills. Similar to the pressure felt by iron ore producers, U.S. integrated steelmakers face increased competition from domestic, flat-rolled minimills that import semi-finished steel. The integrated steel sector has seen significant financial bankruptcies, most recently Geneva, Acme and Gulf States Steel. In the last five years, shipments by the domestic, low-cost minimills have risen from 3 million tons in 1995 to 12 million tons in 2000. However, over the same time period, imports of those products have risen from 24 million tons to an estimated 38 million tons. These developments do not bode well for either the industry's ability to meet national security requirements in an emergency or its ability to maintain its production capabilities.

Brazil and Australia dominate the world iron ore export market, accounting for nearly 70 percent of seaborne exports in 1999; however, much of Australia export production is eaten up by Asian consumption. Brazil's CVRD, the world's largest iron ore producer, currently produces 50 percent of Brazil's iron units, and is poised to acquire another 30 percent of that country's production. Of the 10 million metric tons of iron ore that the United States imported last year, Brazil was responsible for 2.4 million. A single company, CVRD, would control as much as one-fifth of the iron ore imported into the United States.

The Honorable Norman Y. Mineta

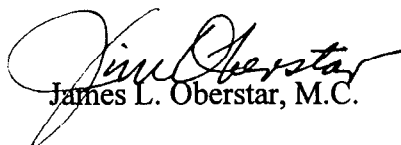
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January 16, 2001

This brief glimpse at the steel and iron ore markets offers a devastating outlook on the future viability of these domestic industries. Can we count on foreign nations to provide us with ample quantities of iron ore and steel products in a timely basis in a national emergency? History has shown that the United States must be self-sufficient in supplying its defense requirements. I believe these facts alone merit a review by your Administration under Section 232 of the Trade Expansion Act of 1962.

Thank you for your consideration.

Sincerely,


James L. Oberstar, M.C.


Bart Stupak, M.C.

Enclosures

cc: William A. Reinsch, Under Secretary for Export Administration

U.S. Imports of Slab from all Countries

Quantities in metric tons

	<u>1996</u>	<u>1997</u>	<u>1998</u>	<u>1999</u>	Annualized <u>2000*</u>	% Change <u>'98-'99</u>	% Change <u>'99-'00*</u>	Ton Change <u>'98-'99</u>	Ton Change <u>'99-'00*</u>
Brazil	1,690,791	1,702,022	1,475,312	2,555,312	2,531,520	73.20%	-0.93%	1,080,000	(23,792)
Mexico	1,141,635	1,263,581	1,408,461	1,587,023	1,609,100	12.68%	1.39%	178,562	22,077
Australia	236,875	133,757	533,628	507,902	439,567	-4.82%	-13.45%	(25,726)	(68,335)
Russia	188,570	329,302	191,905	471,298	675,718	145.59%	43.37%	279,393	204,420
Japan	79,479	36,440	132,296	375,568	346,142	183.88%	-7.83%	243,272	(29,426)
Ukraine	116,863	94,609	228,858	322,174	705,704	40.77%	119.04%	93,316	383,530
Germany	752,362	591,827	205,609	280,715	79,060	36.53%	-71.84%	75,106	(201,655)
Spain	0	82	46,807	176,411	122,126	276.89%	-30.77%	129,604	(54,285)
Canada	47,530	49,357	22,580	116,917	191,123	417.79%	63.47%	94,337	74,206
All Others	1,309,432	444,012	336,241	372,445	480,245	10.77%	28.94%	36,204	107,800
Total	5,563,537	4,644,989	4,581,697	6,765,765	7,180,306	47.67%	6.13%	2,184,068	414,541

*Based on the first 10 months of 2000

U.S. Imports of Slab from all Countries
Quantities in metric tons

	Jan - Oct 1999	Jan - Oct 2000	% Change Jan-Oct 99-00	Ton Change Jan-Oct 99-00
Brazil	2,253,638	2,109,600	-6%	(144,038)
Mexico	1,356,400	1,340,917	-1%	(15,483)
Australia	422,461	366,306	-13%	(56,155)
Russia	359,682	563,098	57%	203,416
Japan	301,194	288,452	-4%	(12,742)
Ukraine	266,819	588,087	120%	321,268
Germany	252,486	65,883	-74%	(186,603)
Spain	149,214	101,772	-32%	(47,442)
Canada	47,473	159,269	235%	111,796
All Others	278,606	400,204	44%	121,598
Total	5,687,973	5983588	5%	295,615

U.S. Imports of Iron Ore Pellets from all Countries
Quantities in metric tons

	<u>1996</u>	<u>1997</u>	<u>1998</u>	<u>1999</u>	Annualized <u>2000*</u>	% Change <u>'98-'99</u>	% Change <u>'99-'00*</u>	Ton Change <u>'98-'99</u>	Ton Change <u>'99-'00*</u>
Canada	8,770,909	8,838,128	7,448,008	5,784,202	7,210,518	-22%	25%	(1,663,806)	1,426,316
Brazil	1,728,485	1,658,272	2,815,884	1,939,112	2,427,508	-31%	25%	(876,772)	488,396
Sweden	0	3,793	196,990	367,488	236,503	87%	-36%	170,498	(130,985)
Venezuela	898,981	924,078	507,705	111,164	418,439	-78%	276%	(396,541)	307,275
Trinidad & Tobago	0	0	0	19,104	30,107		58%	19,104	11,003
Australia	0	0	0	6,704	0		-100%	6,704	(6,704)
Japan	0	0	38	0	0	-100%		(38)	0
Norway	0	91,781	96,917	0	0	-100%		(96,917)	0
Peru	0	54,045	7,035	0	30,041	-100%		(7,035)	30,041
								0	0
All Others	0	0	0	0	0			0	0
All Countries	11,400,371	11,572,094	11,074,575	8,229,773	10,353,115	-26%	26%	(2,844,802)	2,123,342

*Based on the first 10 months of 2000

U.S. Imports of Iron Ore Pellets from all Countries
Quantities in metric tons

	Jan - Oct 1999	Jan - Oct 2000	% Change Jan-Oct 99-00	Ton Change Jan-Oct 99-00
Canada	4,208,505	6,008,765	43%	1,800,260
Brazil	1,428,597	2,022,923	42%	594,326
Sweden	200,486	197,086	-2%	(3,400)
Venezuela	67,164	348,699	419%	281,535
Trinidad & Tobago	0	25,089		25,089
Australia	6,704	0	-100%	(6,704)
Japan	0	0		0
Norway	0	0		0
Peru	0	25,034		25,034
All Others	0	0		0
All Countries	5,911,456	8,627,596	46%	2,716,140